

House Study Bill 129 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

A BILL FOR

1 An Act providing for the department of agriculture and land
2 stewardship's administration of programs regarding a
3 conservation practices revolving loan fund, the state
4 metrologist, and motor fuel standards.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SOIL AND WATER CONSERVATION DISTRICTS

Section 1. Section 161A.71, subsection 1, Code 2013, is amended to read as follows:

1. The division may establish a conservation practices revolving loan fund composed of any money appropriated by the general assembly for that purpose, and of any other moneys available to and obtained or accepted by the committee from the federal government or private sources for placement in that fund. Except as otherwise provided by subsection 3, the assets of the conservation practices revolving loan fund shall be used only to make loans directly to owners of land in this state for the purpose of establishing on that land any new permanent soil and water conservation practice which the commissioners of the soil and water conservation district in which the land is located have found is necessary or advisable to meet the soil loss limits established for that land. A loan shall not be made for establishing a permanent soil and water conservation practice on land that is subject to the restriction on state cost-sharing funds of section 161A.76. Revolving loan funds and public cost-sharing funds ~~shall not~~ may be used in combination for funding a particular soil and water conservation practice. Each loan made under this section shall be for a period not to exceed ten years, shall bear no interest, and shall be repayable to the conservation practices revolving loan fund in equal yearly installments due March 1 of each year the loan is in effect. The interest rate upon loans for which payment is delinquent shall accelerate immediately to the current legal usury limit. Applicants are eligible for no more than ~~ten~~ twenty thousand dollars in loans outstanding at any time under this program. "*Permanent soil and water conservation practices*" has the same meaning as defined in section 161A.42 and those established under this program are subject to the requirements of section 161A.7, subsection 3. Loans made under this program shall come due for payment upon

1 sale of the land on which those practices are established.

2 DIVISION II

3 WEIGHTS AND MEASURES

4 Sec. 2. Section 213.1, Code 2013, is amended to read as
5 follows:

6 213.1 State metrologist.

7 The department ~~shall~~ may designate one of its assistants to
8 act as state metrologist of weights and measures. All weights
9 and measures sealed by the state metrologist shall be impressed
10 with the word "Iowa."

11 DIVISION III

12 MOTOR FUEL STANDARDS

13 Sec. 3. Section 214A.1, subsection 23, Code 2013, is amended
14 to read as follows:

15 23. "*Standard ethanol blended gasoline*" means ethanol
16 blended gasoline for use in gasoline-powered vehicles ~~other~~
17 ~~than~~ not required to be flexible fuel vehicles, that meets the
18 requirements of section 214A.2.

19 Sec. 4. Section 214A.2, subsection 2, paragraphs a and b,
20 Code 2013, are amended by striking the paragraphs.

21 Sec. 5. Section 214A.2, subsection 3, paragraph b,
22 subparagraph (2), unnumbered paragraph 1, Code 2013, is amended
23 to read as follows:

24 Gasoline blended with ethanol must meet ~~any of the following~~
25 requirements established by rules adopted in part or in whole
26 based on A.S.T.M. international specification D4814, including
27 as follows:

28 Sec. 6. Section 214A.2, subsection 3, paragraph b,
29 subparagraph (4), Code 2013, is amended to read as follows:

30 (4) For standard ethanol blended gasoline, it must be
31 ethanol blended gasoline classified as any of the following:

32 (a) From E-9 or E-10 to E-15, if the ethanol blended
33 gasoline meets the standards for that classification as
34 otherwise provided in this paragraph "b".

35 (b) Higher than ~~E-10~~ E-15, if authorized by the department

1 pursuant to approval for the use of that classification of
2 ethanol blended gasoline in this state by the United States
3 environmental protection agency, by granting a waiver or the
4 adoption of regulations.

5 Sec. 7. Section 214A.7, Code 2013, is amended to read as
6 follows:

7 **214A.7 Department inspection — samples tested.**

8 The department shall, from time to time, make or cause to be
9 made tests of any motor fuel or biofuel which is being sold,
10 or held or offered for sale within this state. A departmental
11 inspector may enter upon the premises of a dealer and take from
12 any container a sample of the motor fuel or biofuel, not to
13 exceed ~~sixteen fluid ounces~~ one gallon. The sample shall be
14 sealed and appropriately marked or labeled by the inspector and
15 delivered to the department. The department shall make, or
16 cause to be made, complete analyses or tests of the motor fuel
17 or biofuel by the methods specified in section 214A.2.

18 Sec. 8. Section 214A.16, subsection 1, Code 2013, is amended
19 to read as follows:

20 1. *a.* If ethanol blended gasoline is sold from a motor
21 fuel pump, the motor fuel pump shall have affixed a decal
22 identifying the ethanol blended gasoline.

23 *b.* If the motor fuel pump dispenses ethanol blended gasoline
24 classified as E-11 to E-15 for use in gasoline-powered vehicles
25 not required to be flexible fuel vehicles, the motor fuel pump
26 shall have affixed a decal as prescribed by the United States
27 environmental protection agency.

28 *c.* If the motor fuel pump dispenses ethanol blended gasoline
29 classified as higher than standard ethanol blended gasoline
30 pursuant to section 214A.2, the decal shall contain the
31 following notice:

32 FOR FLEXIBLE FUEL VEHICLES ONLY.

33 ~~*b.*~~ *d.* If biodiesel fuel is sold from a motor fuel pump,
34 the motor fuel pump shall have affixed a decal identifying the
35 biodiesel fuel as provided in 16 C.F.R. pt. 306.

1 Sec. 9. REPEAL. Section 214A.9, Code 2013, is repealed.

2 EXPLANATION

3 GENERAL. This bill amends a number of provisions relating
4 to the functions of the department of agriculture and land
5 stewardship.

6 DIVISION I — SOIL AND WATER CONSERVATION DISTRICTS. The
7 bill amends a provision which establishes a conservation
8 practices revolving loan fund within the soil conservation
9 division, to be used only to make loans directly to owners
10 of land for the purpose of establishing new permanent soil
11 and water conservation practices. The bill provides that
12 revolving loan fund moneys may be used in combination with
13 public cost-sharing moneys. The bill increases the amount that
14 an owner may receive under the program from \$10,000 to \$20,000.

15 DIVISION II — WEIGHTS AND MEASURES. The bill amends a
16 provision that requires the department to designate one of
17 its assistants to act as the state metrologist of weights
18 and measures. Specifically, the bill provides that such
19 designation is discretionary.

20 DIVISION III — MOTOR FUEL STANDARDS. The bill amends a
21 number of provisions relating to motor fuel standards (Code
22 section 214A.2). It eliminates octane standards for leaded
23 gasoline.

24 The bill also provides for gasoline that contains a certain
25 percentage of ethanol. Ethanol blended gasoline is designated
26 E-xx where "xx" is the volume percent of ethanol in the ethanol
27 blended gasoline.

28 Currently, the term "standard ethanol blended gasoline"
29 refers to ethanol blended gasoline that is used to power
30 vehicles other than flexible fuel vehicles (Code section
31 214A.1). Generally, standard ethanol blended gasoline must
32 contain between 9 and 10 percent ethanol by volume (so-called
33 E-10). However, it may also contain a higher percentage as
34 authorized by the department as long as it is approved by the
35 United States environmental protection agency (EPA) (Code

1 section 214A.2). The bill provides that such gasoline is for
2 use in gasoline-powered vehicles not required to be flexible
3 fuel vehicles. It also increases the percentage of ethanol
4 allowed in standard ethanol blended gasoline to 15 percent
5 by volume (E-15). The department may still increase the
6 percentage if authorized by the department with approval by the
7 EPA.

8 The department is required to test samples of motor fuel or
9 biofuels to ensure that they comply with the standards. It
10 increases the maximum sample size from 16 fluid ounces to one
11 gallon (Code section 214A.7). The bill eliminates a provision
12 allowing a retail dealer of motor fuel to post a notice showing
13 the results of the tests (Code section 214A.9).

14 The bill amends a provision which requires a decal be affixed
15 to a motor fuel pump notifying consumers that it is dispensing
16 ethanol blended gasoline (Code section 214A.16). The bill
17 provides that a motor fuel pump dispensing ethanol blended
18 gasoline containing a percentage of ethanol ranging between 11
19 and 15 percent (E-11 to E-15) must be affixed with a decal as
20 prescribed by EPA.